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In re Application of	:	
CHEON et al.	:	
Application No.: 10/522,820	:	COMMUNICATION
PCT No.: PCT/KR2003/002650	:	
Int. Filing Date: 05 December 2003	:	
Priority Date: 13 October 2003	:	
Attorney Docket No.: 1315-059	:	
For: ROBOTIC CELLULAR PHONE	:	

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 05 December 2003, applicant filed international application PCT/KR2003/002650, which designated the U.S. and claimed a priority date of 13 October 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 21 April 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 13 April 2006.

On 31 January 2005, application papers requesting national stage entry in the United States for PCT/KR2003/002650 were submitted by a representative for the applicant from the law firm of Lowe, Hauptman & Berner LLP. These papers were accompanied by the requisite basic national fee and were assigned U.S. application number 10/522,820.

On 13 April 2006, application papers requesting national stage entry in the United States for PCT/KR2003/002650 were submitted by a representative for the applicant from the law firm of Lathrop & Gage LC. These papers were accompanied by the requisite basic national fee and were assigned U.S. application number 10/575,509.

On 19 April 2006, in application number 10/522,820, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge

under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage were required.

DISCUSSION

The submission of two different sets of application papers to enter the national stage in the United States was improper.

CONCLUSION

A proper response must be filed within a time limit of ONE MONTH from the date of this decision or within the time remaining in the response set forth in the NOTIFICATION mailed 19 April 2006, whichever is longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the NOTIFICATION mailed 19 April 2006 may be extended under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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